



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING  
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Marsha S. McLaughlin, Director

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February 25, 2015

Dr. Desiree L. Bartlett  
6498 Montgomery Road  
Elkridge, Maryland 21075

RE: WP-15-104, Bartlett Property

Dear Dr. Bartlett:

The Director of the Department of Planning and Zoning considered your request for a waiver from the Howard County Subdivision and Land Development Regulations.

As of the date of this letter, the Planning Director **approved** your request to waive **Section 16.119(f)(1) and Section 16.134(c)**.

Approval is subject to the following conditions:

1. Comply with all SRC agency comments on the submitted Final plans, F-14-133.

Our decision was made based on the following:

**Extraordinary Hardship or Practical Difficulty** - The applicant would have experienced extraordinary hardships and practical difficulties with the development of the property due to the abandonment of the existing driveway, and subsequently would have needed to provide a shared driveway through the proposed second lot for access to John Calvert Court. A driveway of this nature would require legal and recording fees for the right of way and would have been very costly to the owner. The proposed driveway would be invasive to the future owners of Lot 2, create more impervious area, and would limit the potential future house location.

**Implementation of an Alternative Proposal** – Alternatively the existing sidewalk and access point could be preserved along Montgomery Road as they do not currently cause any serious issues. Lot 2 would have its own separate access onto John Calvert Court. The sidewalk would not be necessary along John Calvert Court per Section 16.134(a)(1)(ii) of the Howard County Subdivision Regulations.

**Not Detrimental to the Public Interest** - Approval of this waiver request will not be detrimental to the public interest as the existing driveway has been in existence and use for a number of years without a problem or incidence. The property is one of three in its neighborhood that have direct access to the south side of Montgomery Road. Approval of the waiver and subsequent plans will bring the two lots proposed into conformity with the surrounding areas.

**Will Not Nullify the Intent or Purpose of the Regulations** - Approval of the waiver request shall not nullify the intent of the regulations. Per section 16.134(a)(1)(ii), no sidewalks are required on a cul-de-sac of any development with ten or fewer dwelling units except along the portion of the development that fronts a public road. Since the proposed Lot 2 would be the tenth dwelling unit with access to the cul-de-sac, and foot traffic would be minimal there is no need for sidewalks. By approving this waiver, the owner will be allowed continued use of the existing driveway onto Montgomery Road and enlarge a parcel of land into a buildable lot that meets the minimum lot standards, and to be exempt from installing

sidewalks or the fee-in-lieu for the cul-de-sac sidewalks. This would be beneficial to both the owners and the County's interests by creating a buildable lot more in line with the regulations.

Indicate this waiver petition file number, request, section of the regulations, action, conditions of approval, and date on all related plats, and site development plans, and building permits. This requested waiver will remain valid for one year from the date of this letter or as long as this subdivision remains in active processing.

If you have any questions, please contact Nicholas Haines at (410) 313-4333 or email at [nhaines@howardcountymd.gov](mailto:nhaines@howardcountymd.gov).

Sincerely,



Kent Sheubrooks, Chief  
Division of Land Development

KS/NH

cc: Research  
DED  
Real Estate Services  
Adcock & Associates LLC